

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:22-cr-44

vs.

FRANKLIN HUMPHRYS,

District Judge Michael J. Newman

Defendant.

ORDER: (1) GRANTING DEFENDANT FRANKLIN HUMPHRYS'S UNOPPOSED MOTION TO CONTINUE; (2) EXCLUDING THE TIME FROM DECEMBER 12, 2022 UNTIL JANUARY 20, 2023 FROM THE SPEEDY TRIAL ACT CALCULATION; (3) FINDING THAT THE NEW SPEEDY TRIAL ACT DEADLINE IS FEBRUARY 7, 2023; AND (4) SETTING A SUBSTANTIVE MOTION FILING DEADLINE FOR JANUARY 17, 2023

This criminal case comes before the Court on Defendant Franklin Humphrys's unopposed oral motion to continue. The Court finds that, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), after considering the factors set forth therein, the ends of justice are served by granting the requested continuance and that such continuance outweighs the best interest of the public and defendant in a speedy trial. Failure to grant the requested continuance would deny both the government and defendant the time necessary for effective preparation (such as having witnesses available to testify at trial), and the ability to explore all available means of resolving this case. *See* 18 U.S.C. § 3161(h)(7).

Thus, the Court hereby **GRANTS** Defendant's unopposed motion to continue. The time from December 12, 2022 through January 20, 2023 is **EXCLUDED** in computing the time period set forth in 18 U.S.C. § 3161 within which the United States must bring Defendant to trial. Accounting for the time excluded from the Speedy Trial Act calculation, the Court **FINDS** that

the new Speedy Trial Act deadline in the instant case is February 7, 2023.¹ Additionally, the Court **ORDERS** that the substantive motion filing deadline is January 16, 2023.

IT IS SO ORDERED.

December 6, 2022

s/Michael J. Newman

Hon. Michael J. Newman
United States District Judge

¹ If counsel disagrees with this calculation, counsel shall contact the Court with their proposed Speedy Trial Act calculation and deadline.